

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JOHN EDWARD LEPOSKY,

Plaintiff,

v.

Case Number 05-10274-BC
Honorable David M. Lawson

REPRESENTATIVE DAVE CAMP
and JOHN DOE CONGRESSMAN,

Defendants.

_____ /

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION, GRANTING DEFENDANTS'
MOTION TO DISMISS, AND DISMISSING CASE

This matter is before for the Court on a report issued by Magistrate Judge Charles E. Binder on March 2, 2006, recommending that the defendants' motion to dismiss be granted and the case dismissed because the complaint failed to conform to the minimum pleading standards set forth in Federal Rule of Civil Procedure 8. The magistrate judge also suggested that the defendants were immune from suit.

Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The plaintiff's failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation is

ADOPTED, the defendants' motion to dismiss [dkt # 4] is **GRANTED**, and the case is **DISMISSED WITH PREJUDICE**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: March 30, 2006

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on March 30, 2006.

s/Tracy A. Jacobs
TRACY A. JACOBS